

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FILED

JUN 21 2016

U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

DR. DAVID A. PETER, M.D.,

Defendant.

No.

4:16CR252 RLW

INFORMATION

COUNT I

HEALTH CARE FRAUD SCHEME

Title 18, United States Code, Section 1347(a)(1)

The United States Attorney charges that:

1. At all relevant times, David A. Peter, M.D. (Dr. Peter) was a medical doctor, licensed in the state of Missouri. He had an office in St. Charles, Missouri and was on the staff of one or more local hospitals through in or about December 2015.

2. Dr. Peter has been a provider in the Medicare program since at least 1991.

Relevant Medicare Provisions

3. The Medicare Program is a federal health benefits program for the elderly, disabled, and ESRD (end stage renal disease) patients. In general, Part A of the Medicare Program authorizes payment of federal funds for inpatient care in hospitals and skilled nursing facilities, Medicare Part B authorizes payment for outpatient health services, and Part D pays for prescription drugs.

4. The United States Department of Health and Human Services (HHS), through the Centers for Medicare and Medicaid Services (CMS), administers the Medicare Program. CMS acts through fiscal agents, which are private companies that review claims and make payments to providers for services rendered to Medicare beneficiaries.

5. To receive Medicare reimbursement, suppliers must submit a written application and execute a written provider agreement. The provider agreement obligates the provider to know, understand, and follow all Medicare regulations and rules.

6. From at least May 2013 to in or about December 2015, Dr. Peter devised and executed a scheme to illegally obtain controlled drugs, such as hydrocodone/acetaminophen.

7. To carry out the illegal scheme, Dr. Peter used the names of three of his patients and relatives on multiple prescriptions for controlled drugs, which he actually intended to use himself. In some instances, Dr. Peter entered his DEA number, the patient's name, the name of the prescription drugs, and other necessary information into the hospital computer, which would generate a printed prescription. At other times, Dr. Peter did not use a computer, but instead hand wrote his DEA number, the patient's name, the name of the prescription drug, and other needed information on paper prescription forms.

8. After Dr. Peter prepared the fraudulent prescriptions, he took them to a Walgreens pharmacy in St. Charles, Missouri to be filled. At the time he submitted the prescriptions to the pharmacy, Dr. Peter knew that the pharmacy would submit reimbursement claims to health care benefit plans, including the Medicare program.

9. As part of the scheme, on or about October 5, 2015, Dr. Peter used the name of Patient J.S. (who is a relative of Dr. Peter) on a prescription for hydrocodone/acetaminophen.

Walgreens subsequently filled the prescription. On or about October 14, 2015, a reimbursement claim was submitted to Medicare, which paid the claim.

10. On or about October 5, 2015, in the Eastern District of Missouri,


DR. DAVID A. PETER, M.D.,

the defendant herein, knowingly and willfully executed and attempted to execute, the above described scheme and artifice to defraud a health care benefit program, in connection with the delivery and payment for health benefits, items, and services, that is, Dr. Peter submitted and caused the submission of a fraudulent reimbursement claim to Medicare for hydrocodone/acetaminophen for Patient J.S.

All in violation of Title 18, United States Code, Section 1347(a)(1).

Respectfully submitted,

RICHARD G. CALLAHAN
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UNITED STATES OF AMERICA)
EASTERN DIVISION)
EASTERN DISTRICT OF MISSOURI)

I, Dorothy L. McMurtry, Assistant United States Attorney for the Eastern District of Missouri, being duly sworn, do say that the foregoing information is true as I verily believe.

Dorothy L. McMurtry
DOROTHY L. McMURTRY, #37727MO

Subscribed and sworn to before me this 6th day of June, 2016

Gregory J. Sinhares
CLERK, U.S. DISTRICT COURT

By: *Jason W. Dockery*
DEPUTY CLERK